

Ronald J. Wronko, Esq. (RW1859)
RONALD J. WRONKO, LLC
248 Columbia Turnpike, Suite 202
Florham Park, New Jersey 07932
(973) 360-1001
Attorney for plaintiff
Mitchell Taylor

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

MITCHELL TAYLOR,	:	CIVIL ACTION NO:
	:	
plaintiff,	:	COMPLAINT
	:	
v.	:	
	:	
BAYVIEW LOAN SERVICING, LLC,	:	
COMMUNITY LOAN SERVICING, LLC,	:	
JOHN DOES 1-10, and ABC CORP. 1-10,	:	
said names being fictitious,	:	
	:	
defendants.	:	
	:	

Plaintiff Mitchell Taylor (“plaintiff”), by way of this Complaint against the defendants Bayview Loan Servicing, LLC and Community Loan Servicing, LLC (“defendants”) hereby says:

I. Nature of Action, Jurisdiction and Venue

1. This is an action seeking legal relief for a violation of 12 CFR Section 1024.36.
2. This Court has jurisdiction arising out of federal question jurisdiction 28 U.S.C. § 1331. Additionally, plaintiff has satisfied all prerequisites to bringing these claims.
3. Venue is proper pursuant to 28 U.S.C. § 1391, as the acts or omissions giving rise to the claims alleged herein occurred within this judicial district, and the defendant is subject to the personal jurisdiction in this district.

II. Parties

4. Plaintiff received a loan from defendant Bayview Loan Servicing, LLC and/or Community Loan Servicing, LLC.

5. Defendants are subject to suit under 12 CFR Section 1024.36.

III. Factual Allegations

6. Plaintiff had a loan with defendant Bayview Loan Servicing, LLC and/or Community Loan Servicing, LLC.

7. Plaintiff made a Request for Information pursuant to 12 CFR Section 1024.36(a) regarding the servicing of this loan by letter dated February 17, 2021.

8. Plaintiff requested that defendant provide plaintiff with a life of loan history of all payments made on this loan and its two previous modifications as well as the accrual of fees, interest, penalties, and property tax payments.

9. This information was due within thirty (30) days of receipt.

10. Community Loan Servicing responded by letter dated March 8, 2021 and advised that the response would be provided by April 12, 2021.

11. To date, no such response has been provided in violation of 12 CFR Section 1024.36.

12. The borrower has a right to enforce the Request for Information legal proceeding under 12 CFR Section 2605(f).

13. Attorneys fees and costs can be awarded for a successful borrower.

14. Defendant is presently in violation of 12 CFR Section 1024.36.

15. Plaintiff is incurring counsel fees as a result of defendants' failure to provide the requested information.

COUNT I
(Violation of 12 CFR Section 1024.36)

16. Plaintiff realleges and incorporates herein the above paragraphs.

17. The foregoing facts and circumstances demonstrate that defendants has violated 12 CFR Section 1024.36 by failing to provide plaintiff with the life of loan history of all payments made on this loan and its two previous modifications as well as the accrual of fees, interest, penalties, and property tax payments.

18. Furthermore, plaintiff has been required to retain an attorney to assist plaintiff in asserting plaintiff's claims and protecting plaintiff's rights.

WHEREFORE, plaintiff demands judgment on this count against the defendants jointly and severally, as follows:

- A. Requiring production of a Life of Loan History within 10 days;
- B. Statutory damages, if applicable;
- C. Punitive damages and or liquidated damages where permitted by law;
- D. Attorneys' fees and costs of suit;
- E. Lawful interest – including pre-judgment interest;
- F. Such other, further and different relief as the Court deems fitting, just and proper.

DESIGNATION OF TRIAL COUNSEL

RONALD J. WRONKO is hereby designated as trial counsel on behalf of plaintiff.

RONALD J. WRONKO, LLC
Attorney for plaintiff

By /s/ Ronald J. Wronko
Ronald J. Wronko

Dated: November 1, 2021

CERTIFICATION

The undersigned certifies that to the best of his knowledge, the within matters in controversy are not the subject of any other action pending in any other Court or of a pending arbitration proceeding nor is any action or arbitration proceeding contemplated nor are other parties required to be joined in this action.

By /s/ Ronald J. Wronko
Ronald J. Wronko

Dated: November 1, 2021